

RAYMOND C. CABALLERO  
MAYOR

MONICA D. CUNNINGHAM  
CHIEF ADMINISTRATIVE OFFICER



## CITY COUNCIL

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

### REGULAR COUNCIL MEETING COUNCIL CHAMBERS JUNE 12, 2001 9:00 A.M.

The City Council met in regular session at the above place and date. Newly elected Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Father Jesus Recio, Guardian Angel Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

.....  
Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to appoint Representative Medina as Mayor Pro Tempore.

Representative Sumrall nominated Representative Medina as Mayor Pro Tempore.  
Representative Medina thanked his fellow Council Members.

.....  
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to appoint Representative Sariñana as Deputy Mayor Pro Tempore.

Representative Cook nominated Representative Sariñana as Deputy Mayor Pro Tempore.  
Representative Sariñana thanked his fellow Council Members.

## RESOLUTION

### RULES OF ORDER FOR CITY COUNCIL MEETINGS OF THE CITY OF EL PASO

#### SECTION 1. PURPOSE OF RESOLUTION

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular or special meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

## **SECTION 2. EFFECT OF FAILURE TO FOLLOW THESE RULES**

No action of the Council which is otherwise legal shall be invalidated merely by reason of the Council's failure to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

## **SECTION 3. STANDING**

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

## **SECTION 4. SUSPENSION OF RULES**

These rules may be suspended temporarily by a majority of the Council members present, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

## **SECTION 5. PRESIDING OFFICER**

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects.

## **SECTION 6. QUESTIONS OF ORDER**

All questions of order shall be decided by the presiding officer with the right of appeal from his decision to the Council that is present, the majority of whom may override the decision.

## **SECTION 7. VOTING**

The City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Records of such roll call vote shall be incorporated in the Minutes of the meeting.

## **SECTION 8. RECORDED DEBATE**

A Representative may request, through the presiding officer, to have an abstract of his statement on any subject under consideration by the Council entered in the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

## **SECTION 9. ORDER OF PRECEDENCE OF MOTIONS**

A motion to adjourn shall take precedence over all other motions and shall be non-debatable; however, if such a motion is made prior to the disposition of all agenda items, the motion to adjourn must be approved by two-thirds of all Council members present.

A motion to postpone shall take precedence over all other motions except the motion to adjourn, and shall be non-debatable.

**SECTION 10. MOTION TO RECONSIDER**

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken.

**SECTION 11. OBTAINING THE FLOOR**

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the question under consideration.

**SECTION 12. RIGHT OF CITIZENS TO BE HEARD**

Any citizen of the City of El Paso shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council may be limited to a fixed number of minutes at the discretion of the presiding officer.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

**SECTION 13. PARLIAMENTARIAN**

The City Attorney and the First Assistant City Attorney are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

Mayor Raymond Caballero spoke briefly regarding a new voting system.

Mr. Charlie McNabb, City Attorney, explained that Council Members should adopt the Resolution as written and at a later date add the language for the new voting system.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).

Representative Medina was not present for the vote.

.....  
\*Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting of April 26, 2001.

801

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to file a grant application with the Federal Aviation Administration (FAA), for the Airport Improvement Program (AIP) Project No. 3-48-0077-17-00, and the assurances and understandings contained in the application, and that Patrick T. Abeln, A.A.E., Director of Aviation, be designated official representative of the City to act in connection with the application.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to file a grant application with the Federal Aviation Administration (FAA), for the Airport Improvement Program (AIP) Project No. 3-48-0077-18-00, and the assurances and understandings contained in the application, and that Patrick T. Abeln, A.A.E., Director of Aviation, be designated official representative of the City to act in connection with the application.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Annual Action Plan (2000-2001) of the Consolidated Plan for 2000-2005 be amended by adding the following housing activity to the 26th Year (2000-2001) Community Development (CD) Program:

First Time Home Buyers Program - \$500,000

and that the funds for this project be transferred from the Housing Rehabilitation Revolving Loan Fund Account No. 150039-710RLF-CDAH-205204.

This program will provide services citywide.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That under the previously allocated expenditure of Twenty-sixth (26th) Year (2000 -2001) Community Development funds authorized for the acquisition of the following parcel of land for the Del Norte Acres Improvements, a 26th Year Community Development Project, the City of El Paso provides its notice of intent to acquire the following parcel:

Parcel 1: A portion of Tract 17C4, Section 9, Township 2, Texas and Pacific Railroad Company Surveys, containing 0.006 acres, more or less.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eight Thousand Six Hundred Fifty And No/100ths Dollars (\$8,650.00 - \$3,000 loan/\$5,650 grant) against the following described real property:

Lot 27, Block 2, Beaumont Addition Annex, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 5, Page 28, Plat Records of El Paso County, Texas; also known and numbered as 3912 Mc Connell, El Paso, Texas 79904.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan in the amount of Eighty Seven And 55/100ths Dollars (\$87.55).

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twelve Thousand Three Hundred And No/100ths Dollars (\$12,300.00 - \$9,000 loan/\$3,300 grant) against the following described real property:

Lots 31 and 32, Block 34, Grandview Addition, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 3300 Mountain, El Paso, Texas 79930.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Five Thousand Five Hundred And No/100ths Dollars (\$5,500.00 - \$5,472 loan/\$28 grant) against the following described real property:

The South 42.5' of Lot 2, Block 45, Vista Del Sol Unit Four, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 31, Page 20, Plat records of El Paso County, Texas; also known and numbered as 2320 Cumbre Negra, El Paso, Texas 79935.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eleven Thousand Three Hundred And No/100ths Dollars (\$11,300.00 - \$5,130 loan/\$6,170 grant) against the following described real property:

Lot 3, Block 4, Fresno Park Unit Two, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 11, Page 25, Plat Records, El Paso County, Texas; also known and numbered as 8113 Cooley, El Paso, Texas 79907.

799

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

## **RESOLUTION**

### **DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS TO DESIGNATE AN AREA AS REINVESTMENT ZONE "OO"; TO CALL A PUBLIC HEARING ON THE DESIGNATION; AUTHORIZING THE GIVING OF NOTICE OF THE PUBLIC HEARING; AND RELATED MATTERS.**

WHEREAS, the City Council (the "City Council") of the City of El Paso, Texas (the "City"), pursuant to the requirements of the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended (the "Act"), does hereby declare its intent to consider the adoption of an Ordinance designating an area within the City as Reinvestment Zone "OO";

WHEREAS, the area to be designated Reinvestment Zone "OO" is set forth and described in Exhibit "A" attached hereto, which is incorporated herein by reference for all purposes;

WHEREAS, the Act requires that the designation of an area as a reinvestment zone be done by the City Council through the adoption of an Ordinance;

WHEREAS, before an Ordinance may be adopted, the Act requires that the City Council hold a public hearing on such designation and accordingly the City Council intends hereby to hold such public hearing on Tuesday, June 26, 2001, at 9:00 o'clock a.m. in the City Council Chambers, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone; and,

WHEREAS, the Act requires that the City Council give notice of hearings by: (1) publication of such notice in a newspaper having general circulation in the City no later than the seventh day before the date of the hearing; and (2) delivery of such notice in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of the hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the City Council hereby declares its intent to consider the adoption of an Ordinance designating the real property described and set forth in Exhibit "A" as a reinvestment zone, pursuant to the requirements of the Act. (Exhibit on file with this Resolution in the City Clerk's office)

Section 2. That the City Council hereby directs that a public hearing concerning such designation of a reinvestment zone be held at 9:00 o'clock a.m. on Tuesday, June 26, 2001, in the City Council Chambers on the second floor of the Municipal Building of the City of El Paso, 2 Civic Center Plaza, El Paso, Texas, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone.

Section 3. That a Notice of the public hearing shall be: (1) published in a newspaper having general circulation in the City no later than the seventh day before the date of such public hearing; and (2) delivered to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of such public hearing.

Section 4. That the Director of Economic Development for the City of El Paso or his duly authorized agent, be authorized to arrange for the publication of the Notice and also to send such Notice to the presiding officer of the governing body of each such taxing unit.

Representative Cobos questioned the abatement amount.

Mr. Roberto Franco, Director of Economic Development, explained how Reinvestment Zones and Tax Abatement Agreements are created and elaborated on the Capital Investment Program. He gave Council Members a brief synopsis regarding how the Program came into being and where the Program is now. He asked for Council Members input regarding the new guidelines for the Program.

Representative Cook pointed out the different pay scales included in the proposed agreement..

Ms. Sheryl Peterson, CEO, explained that this would be a new hospital built on the east side of El Paso. She explained that the company would continue with the venture even if Council Members do not approve the Agreement. She stated that this would bring many professional positions to the City of El Paso.

Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for :

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
5727 Mackerel Lane	\$220.08	\$150.24	\$370.32
5727 Mackerel Lane	\$149.39	\$53.38	\$202.77

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for :

5424 Homer Circle	\$120.16	\$24.88	\$145.04
-------------------	----------	---------	----------

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a Contract with Odell Holmes, Judge of the Municipal Court of Appeals, to provide clerical and other support for the administration of the court.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the City of El Paso and the County of El Paso, a political subdivision of the State of Texas, in conjunction with the Local Law Enforcement Block Grant 2000. The City will pass grant funds through to the County to be used for the purpose of purchasing three vehicles for use by the District Attorney's Office.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application and all necessary documents for a COPS in Schools 2001 grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, in the amount of \$490,320.00 for the purpose of deploying four (4) additional School Resource Officers at the Ysleta Independent School District to work in and around schools as part of an overall plan to address crime and related problems through community policing. No matching funds are required.

Representative Sumrall explained that when the grant funding runs out these positions would impact the General Fund. She enumerated the number of positions that would be added through the year 2004 and questioned how much money would need to be considered in future budgets and how much money would need to be budgeted for salaries.

Representative Sariñana asked in what schools would the officers be placed in. He asked that the Police Department focus on schools in the Lower Valley.

Captain Roy Davis, El Paso Police Department, explained that the positions have not yet been decided.

Representative Power asked for explanation on the extension and additions and asked what the weaknesses of the program are. He asked in which areas of town the children are most at risk.

Captain Davis stated that the current program is very successful but added the weakness might be the need for more personnel. He added that the Police Department needs to impact more students which explains the need for more personnel in additional schools. The Police Department would be targeting middle schools in addition to high schools. Captain Davis explained that all areas of town are at risk; however, those students in the Ysleta Independent School District are determined to be a greater risk.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the City of El Paso and the Ysleta Independent School District (YISD) for the furnishing of 4 police officers for the School Resources Officer Program to be conducted within the YISD, contingent upon and in conjunction with the



COPS in Schools 2001 grant award. During the first three years of the agreement, officers' salaries will be paid with grant funding and during the fourth year of the agreement, payment will be received from the YISD in an amount equal to 50% of each officer's salary and benefits for the actual number of days each officer works in the Program.

Representative Cobos commented on the financing of the program for the first three years and asked who would finance the 5<sup>th</sup>, 6<sup>th</sup> and/or 7<sup>th</sup> year. He asked for a Motion to postpone until the exact dollar amount for the matching funds could be provided. He later withdrew his Motion to postpone.

Captain Roy Davis, El Paso Police Department, explained that this particular Agreement is in the 7<sup>th</sup> year and does have 50% matching funds with the Ysleta Independent School District. He did not have the exact dollar amount of the matching funds for the City but stated he would provide this information at a later date.

Mayor Raymond Caballero asked that the Department provide all necessary information for Council Members so that they could make the necessary decisions.

Representative Sariñana reaffirmed his comments made at previous Council meetings that all Departments continue to pursue any Grant applications. He suggested that the Police Department utilize confiscated funds to fund some of these programs.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for funding the Alternative Fuels Program between the United States Department of Transportation in cooperation with the Texas Department of Transportation and the City of El Paso, as the administrator of a Grant in the amount of Eighty Thousand Dollars (\$80,000.00) to the Socorro Independent School District to convert forty vehicles to alternative fuels, as a recipient of the Grant.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Awards Ceremony and Reception
Licensee:	Hispanic Engineer National Achievement Awards Conference
Date:	October 12, 2001
Time:	6:00 p.m. - 10:00 p.m.
Charge for Space:	\$1,200.00
Charge for Staff (est.):	\$540.00
Charge for Insurance:	\$150.00
Area(s):	Special Events

.....

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**SUN COUNTRY**

**NO. 150056, 7126CD, 0005 GRANT DETAIL, SUB-OBJECT 202215**

1.     CONTRACTOR:     Minerva Morales, Club Rec Arts & Crafts Coordinator  
       DATES:           June 12, 2001, thru July 31, 2001  
       RATE PER CL:    \$10.00  
       MAXIMUM AMT:    \$2,000.00  
       CONTRACT:       2000/2001-211
  
2.     CONTRACTOR:     Minerva I. Valadez, Club Rec Dance & Drama Instructor  
       DATES:           June 12, 2001, thru August 3, 2001  
       RATE PER CL:    \$8.00  
       MAXIMUM AMT:    \$1,760.00  
       CONTRACT:       2000/2001-212

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS**

**NO. 010281, SUB-OBJECT 201011**

1.     CONTRACTOR:     Moses Gutierrez, Lifeguard I, Step 1  
       DATES:           May 21, 2001, thru September 30, 2001  
       RATES PER HR:   \$6.00  
       CONTRACT NO:    2000/2001-295
  
2.     CONTRACTOR:     David J. Juarez, Swim Instructor I, Step 1  
       DATES:           May 16, 2001, thru September 30, 2001  
       RATES PER HR:   \$5.35  
       CONTRACT NO:    2000/2001-296
  
3.     CONTRACTOR:     Valarie L. Palomino, Swim Instructor I, Step 1  
       DATES:           May 10, 2001, thru September 30, 2001  
       RATES PER HR:   \$5.35  
       CONTRACT NO:    2000/2001-297
  
4.     CONTRACTOR:     Rogelio Sotelo, Lifeguard, I, Step 2  
       DATES:           May 7, 2001, thru September 30, 2001  
       RATES PER HR:   \$6.20

CONTRACT NO: 2000/2001-298

5. CONTRACTOR: Vicente Vargas, Lifeguard I, Step 1  
DATES: May 25, 2001, thru September 30, 2001  
RATES PER HR: \$6.00  
CONTRACT NO: 2000/2001-299

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **GERMAN A. CARMONA** for the El Paso Library to be paid at the rate of \$5.23 per hour, not to exceed 20 hours per week without permission from Coop Coordinator, in which case Employees may work up to 40 hours per week, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$51.75 per week. The term of the contract is from June 19, 2001 through June 18, 2002 and is subject to the approval of the City's Civil Service Commission.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Contract between the **CITY OF EL PASO** and **RAYMUNDO CHAVEZ** as an on call x-ray technician for the El Paso City-County Health and Environmental District. Employee will be paid at the rate of \$22.00 per hour. Holiday coverage to be paid at the rate of \$25.00 per hour. The total amount of on call services shall not exceed \$4,000.00 for FY 2001. The contract period shall be from June 25, 2001 through August 31, 2001.

Representative Sariñana stated that he was not aware that the City of El Paso employed an x-ray technician. He stated that it might be fiscally advantageous if the City worked in conjunction with R.E. Thomason General Hospital.

Dr. Jorge Magaña, M.D., F.A.A.P., Director - Health District, explained that the position is essential for the prevention of tuberculosis. He explained the responsibilities of the x-ray technician. He stated that the technician must be available during clinic hours to provide chest x-rays of potential tuberculosis patients. He stated that the x-ray would be developed and interpreted immediately by the physician; therefore, the patient would receive immediate proper treatment. He stated that the Health Department would be monitoring Mr. Chavez' time and paying him accordingly.

Representative Cook asked Dr. Magaña approximately how many chest x-ray screenings the technician might produce in a year.

Dr. Magaña responded that it varies from month to month and added that the City currently has 100 patients with active tuberculosis.

Representative Escobar agreed with Representative Sariñana comments regarding working with the hospital; however, he stated that it is important to have a technician on call for various reasons. He asked Council Members to approve the appointment of the technician for the Health Department.

Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve the above Resolution.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the **CITY OF EL PASO** and **MONICA GOMEZ** to perform a program of music and poetry at the Westside Branch Library on June 13, 2001. There is no cost to the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **DEBI A. LOPEZ**, as a Library Information Specialist II for the El Paso Public Library at the bi-weekly rate of \$873.94, not to exceed 40 hours per week. Contract term is from June 20, 2001 through June 19, 2002.

NOTE: Resolution was revised to read "Library Information Specialist II" instead of III as shown on the agenda..

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the **CITY OF EL PASO** and **DELMY LOPEZ** for the El Paso Public Library. There is no cost to the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Graduate Intern Employment Contract between the **CITY OF EL PASO** and **YAISA GOLDEN**, as a Graduate Intern for the Economic Development Department at the rate of \$8.25 per hour, up to 40 hours per week. The term of the contract is from June 18, 2001 through June 17, 2002 and is subject to the approval of the City's Civil Service Commission.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **EDNA B. CUETO** for the El Paso Library to be paid at the rate of \$5.34 per hour, not to exceed 20 hours per week without permission from Co-Op coordinator, in which case Employees may work up to 40 hours per week, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$51.75 per week. The term of the contract is from June 19, 2001 through June 18, 2002 and is subject to the approval of the City's Civil Service Commission.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Volunteer Services Agreements between the **CITY OF EL PASO** and **JUDY CASTILLO** and **DONNA SNYDER, OSEYE CULTURAL ARTS CENTER**, for the El Paso Public Library's Juneteenth Celebration Lecture Series. These contracts are subject to the approval of the City's Civil Service Commission. There is no cost to the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO** and **JERUSHA LANG ANDRADE** to assist the Education Department at the El Paso Museum of Art at the rate of \$9.23 per hour, not to exceed 20 hours per week. The contract period shall be from June 15, 2001 through August 31, 2001 and is subject to the approval of the City's Civil Service Commission.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO** and **KIMBERLY MCCARDEN** to write press releases, plan public events and assist with membership development for the El Paso Museum of Art at the rate of \$9.23 per hour, not to exceed 20 hours per week. The contract period shall be from June 15, 2001 through August 31, 2001 and is subject to the approval of the City's Civil Service Commission.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **TESS PASSERO** to be employed as Art Camp Teacher's Aide for the El Paso Museum of Art. Employee will be paid at the rate of \$5.15 per hour.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Personal Service contracts between the City of El Paso and the following independent contractors as Summer Art Camp Instructors for the Museum of Art:

1. CONTRACTOR: Marie Livingston  
DATES: July 10-13, July 17-20, July 24-27, and July 31-August 3, 2001  
RATE PER HOUR: \$20.00  
MAXIMUM AMOUNT: \$1,280.00
2. CONTRACTOR: Nicole Sari Beth Antebi  
DATES: June 5-8, June 12-15, June 19-22, June 26-29, July 10-13, July 17-20, July 24-27, and July 31-August 3, 2001

RATE PER HOUR: \$20.00  
MAXIMUM AMOUNT: \$2,560.00

3. CONTRACTOR: Barbara Antebi  
DATES: June 19-22 and June 26-29, 2001  
RATE PER HOUR: \$20.00  
MAXIMUM AMOUNT: \$640.00

4. CONTRACTOR: Teresa Sheffey  
DATES: June 5-8 and June 12-15, 2001  
RATE PER HOUR: \$20.00  
MAXIMUM AMOUNT: \$640.00

.....  
\*Motion made, seconded and carried that the following First Time Home Buyers applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

A. 01-05-FTHB/HL-0473                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
908 Versailles Drive (07)

B. 01-05-FTHB/HL-0474                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
11752 Corona Crest Ave. (36)

C. 01-05-FTHB/HL-0475                      Loan: \$ 9,525.00  
Interest 0%                                      Term: 170 months  
12500 Wendy Reed (36)

D. 01-05-FTHB/HL-0472                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
8629 Amigo (07)

E. 01-05-FTHB/HL-0476                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
600 Sierra (03)

F. 01-05-FTHB/HL-0477                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
3245 Monroe (30)

G. 01-05-FTHB/HL-0479                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
5313 Juliandra (24)

H 01-05-FTHB/HL-0471                      Loan: \$20,000.00  
Interest 0%                                      Term: 357 months  
5140 Ocotillo St. (32)

.....  
\*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision:                      Chaparral Park Unit 39 Phase II

Street Improvements:

Los Siglos Drive - from the intersection of Via Descanso Drive to the end of cul-de-sac at Lot 16, Block 172

Granite Trail Court - from the intersection of Ojo De Agua Drive to the end of cul-de-sac at Lot 9, Block 172

Drainage Improvements:

34' Drainage R.O.W. (Channel "B") - from the northerly property line of Lot 18, Block 172, to the south-west property line of Lot 1, Block 172; including 976.96' x 24.0' x 5.0' deep Reinforced Concrete Channel; and 147.7' x 6.0' high of chain - link fence with one 18.0' double swing vehicular gate.

15.0 ft. Drainage Easement - at Lot 16, Block 172; 496.36' of 30.0" R.C.P.; and 1 - 2 Grate Drop - Inlet Type I

.....  
\*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision:                      Montana Palms

Street Improvements:

Dominican Street - from Montana Avenue to the East Property Line of Lot 53, Block 2

Nehemiah Place - from the northerly limit of Turner Road to Dominican Street

Turner Road - from the West Property Line of Lot 55, Block 2, to the East Property Line of Lot 52, Block 1

Drainage Improvements:

Ponding Area - at Lot 1, Block 4; with a 3.28 ac., area and a 17.95 ac-ft. Capacity; 1550.0 ft. x 6.0 ft. high of Rockwall Fence; with an 18.0 ft. Double Swing Gate; 2-Head Walls Structure; 149.64 ft. of 24.0" of R.C.P.; 238.5 ft. of 42.0" R.C.P., 2-Junction Boxes/72.0" & 48.0" Manholes

20.0 ft. Drainage Easement -at Lot 17, Block 1; 75.0 ft. of 42.0" R.C.P.; and 1 - 6 Grate Drop - Inlet Type II

20.0 ft. Drainage Easement - at Lot 36, Block 2, 122.14 ft. of 24.0" R.C.P.

25.0 ft. Drainage Easement - at Lot 17, Block 2, 175.0 ft. of 42.0" R.C.P.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

That the salary of Irma Mendoza for the position of Executive Secretary to the Mayor be set at \$32,500.

Representative Sumrall explained that she placed this on the Regular Agenda to introduce Ms. Mendoza. She stated that Ms. Mendoza does an excellent job and would be an excellent Secretary for the Mayor.

Mayor Raymond Caballero explained that Ms. Mendoza is currently at her desk working.

Motion made Representative Sumrall, seconded Representative Cook and unanimously carried that the salary of Irma Mendoza for the position of Executive Secretary to the Mayor be set at \$32,500.

.....  
\*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Building Maintenance Worker I - Airport
- B. Department Research Assistant - Police
- C. Hydrogeologist - EPWU
- D. Printing Equipment Operator II - Library
- E. Traffic Engineering Associate I - Engineering
- F. Transit Coin Sorter Operator II - Mass Transit
- G. Zoo Keeper - Zoo

.....  
\*Motion made, seconded and unanimously carried to re-appoint Aline Lamastus to the Community Development Steering Committee by Representative Sumrall.

.....  
\*Motion made, seconded and unanimously carried to re-appoint Rebecca Downey to the Greater El Paso Civic Convention & Tourism Advisory Board by Representative Sumrall.

.....  
\*Motion made, seconded and unanimously carried to re-appoint Raymond Dunigan to the RSVP Advisory Council by Representative Sumrall.

.....  
\*Motion made, seconded and unanimously carried to appoint William Davis to the Enterprise Community Coordinating Committee as requested by Representative Sariñana.

.....  
\*Motion made, seconded and unanimously carried to appoint Gustavo Galaviz to the Electrical Board of Appeals as an Alternate by Representative Sumrall.

.....  
\*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light at the following location:

Between 8636 and 8640 Amigo Dr. Cost: \$899.00

.....  
\*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

PID #0147-999-4003-0000, \$675.92 per month installments on a balance of \$2,959.81 for 1994,1995, 1996, 1997, 1998, 1999 and 2000 taxes; Southwest Plumbing % Robert Fernandez, - 113 N. Copia St.



\*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Midway Chevrolet in the amount of \$13,348.02, overpayment of 2000 taxes. (PID #C818-999-0010-6700)
- B. Transamerica Real Estate Tax Service in the amount of \$4,656.93, overpayment of 1999 taxes. (PID #C834-999-0060-0200)
- C. Government Employees Credit Union of El Paso in the amount of \$1,871.33, overpayment of 2000 taxes. (PID #E207-999-0400-0300)
- D. Government Employees Credit Union of El Paso in the amount of \$1,861.45, overpayment of 1999 taxes. (PID #E207-999-0400-0300)
- E. Government Employees Credit Union of El Paso in the amount of \$1,912.40, overpayment of 1998 taxes. (PID #E207-999-0400-0300)
- F. Haciendas Del Norte Estates in the amount of \$600.60, overpayment of 2000 taxes. (PID #H010-000-0360-0050)

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 1999-62-227C between the City of El Paso and Flex-O-Lite, Inc., Chesterfield, Missouri, to provide Glass Beads for the City of El Paso Department of Aviation (for two additional years) starting September 6, 2001, and ending September 5, 2003.

Department: Department of Aviation  
Funds available: 620003-203121  
Funding source: Inventory Purchases - Materials and Supplies  
Total amount: \$45,250.00 (estimated annually)

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 2000-079C1 between the City of El Paso and American Traffic Safety Materials, Inc., Orange Park, Florida, to provide Traffic Sign Materials for the City of El Paso Street Department (for two additional years) starting March 15, 2002, and ending March 14, 2004.

Department: Street Department  
Funds available: 010287-203203  
Funding source: General Operating Fund,  
Total amount: \$20,000.00 (estimated annually)

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 2000-079C2 between the City of El Paso and 3M, St. Paul, Minnesota, to provide Traffic Sign Materials for the City of El Paso Street Department (for two additional years) starting March 15, 2002, and ending March 14, 2004.

Department: Street Department  
Funds available: 010287-203203  
Funding source: General Operating Fund,  
Total amount: \$20,000.00 (estimated annually)

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001-188 Security Pole Camera System (Rebid)

Award to: Law Enforcement Associates  
Youngsville, NC.  
Item(s): 1  
Amount: \$33,100.00

Department: Police  
 Funds Available: 150040-208008 Grant 219913 and 210015  
 Funding Source: Police HIDTA Grant - HIDTA Stash House Initiative FY99/00  
 Award: \$33,100.00

Police and Purchasing recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a one time purchase with no options.

.....  
 \*Motion made, seconded and unanimously carried to award RFP No. 2001-184R Helicopter Liability Insurance

Award to: Stinson and Son Insurance  
 El Paso, Texas  
 Amount: \$15,937.00 (Estimated Annual Premium)

Department: Police  
 Funds Available: 010069-204402  
 Funding Source: General Fund  
 Total Award: \$15,937.00 (Estimated Annual Premium)

Purchasing and Police recommend award to Stinson and Son Insurance. They are the low responsive and responsible bidder as well as the current carrier for the insurance. This year's price is lower than in previous years.

The bidder does not offer any payment discounts and will be paid annually on the anniversary date.

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-557 MUSEUM OF ART

Appropriate funds for school services coordinator. Budget transfer #201-226 established funding in general restricted index 154001. (1-23-01) New Index code for school services coordinator - 150078.

Decrease	\$ 5,000.00	from	154001/540006/201011	PT Temp
Increase	\$ 5,000.00	to	150078/540109/201011	PT Temp
Increase	\$ 5,000.00	to	154001/540006/207001	Intrafund Transfer
Increase	\$ 5,000.00	to	150078/540109/107001	Intrafund Transfer In

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-558 MUSEUM OF ART

To appropriate funds - Marcus Foundation.

Increase	\$ 23,200.00	to	150026/540101/106002	Local Grant Proceeds
Increase	\$ 3,452.00	to	150026/540101/202209	Printing Services
Decrease	\$ 420.00	from	150026/540101/203120	Uniforms & Apparel
Increase	\$ 133.92	to	150026/540101/203100	Office Supplies
Increase	\$ 144.00	to	150026/540101/203116	Recreational Supp
Increase	\$ 224.39	to	150026/540101/202408	Vehicle-Leases
Increase	\$ 1,603.14	to	150026/540101/204201	Travel Expenses

Increase	\$ 63.16	to	150026/540101/204203	Mileage Allowances
Decrease	\$ 229.61	from	150026/540101/203107	Photograph Film Vid
Increase	\$ 4,000.00	to	150026/540101/202215	Outside Contracts
Increase	\$ 14,229.00	to	150026/540101/201001	PT Temp

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-563 PUBLIC WORKS

To recognize interest earned and to transfer to debt service.

Increase	\$217,262.00	to	250102/PW0031001/105000	Investment Interest
Increase	\$217,262.00	to	250102/PW0031001/207000	Interfund Transfer

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-570 MUSEUM OF ART

To appropriate funds donated for purchase of two prints.

Increase	\$ 1,050.00	to	154001/540006/105060	Estimated Revenue
Increase	\$ 1,050.00	to	154001/208011	Cultural Works

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-574 OMB

Funding required to pay TPA Services for remainder of Fiscal Year.

Increase	\$200,000.00	to	100255/45-722/202200	Benefits Admin
Increase	\$200,000.00	to	100255/45-722/107002	Estimated Revenue

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT2001-575 STREET

Funding for Apache Barricades to end of Fiscal Year 2001.

Increase	\$ 24,000.00	to	010200/202411	Leases NOC
Decrease	\$ 7,000.00	from	010159/204412	Seminars/Cont Ed
Decrease	\$ 8,000.00	from	010200/204412	Seminars/Cont Ed
Decrease	\$ 9,000.00	from	010200/202300	Equip Maintenance

.....  
 \*Motion made, seconded and unanimously carried to delete the request of Omega Vision, Inc. to hold a foot race/walk on July 28, 2001 from 5:00 a.m. to 5:00 p.m. Route: Start at 4190 North Mesa and proceed south to Brentwood, east to Stanton, south to Kerby Street, north to Rim Road, west on Scenic to Robinson, south on Robinson to Stanton and re-trace course back to 4172 North Mesa.

.....  
 \*Motion made, seconded and unanimously carried to approve the request of Jose R. Sanchez to block off the 900 block of St. Vrain between Seventh Street and Eighth Street on June 16, 2001 from 5:30 p.m. to 10:00 p.m. and June 17, 2001 from 8:30 a.m. to 10:00 p.m. for a Matachines Dance. Approximately 80 persons will participate and 40 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". Permit No. 01-068

.....  
 \*Motion made, seconded and unanimously carried to approve the request of Corpus Christi Church Youth Ministry to hold a walkathon on June 16, 2001 from 9:00 a.m. to 10:30 a.m. Route: Start at 9205 North Loop, walk west on North Loop, turn left on Mockingbird to Corpus Christi Monastery (451 Mockingbird).

175

Approximately 40 persons and one vehicle will take part. This request includes permission to use amplification (1 speaker; 1 microphone). Permit No. 01-070

.....  
\*Motion made, seconded and unanimously carried to approve the request of Centro de Salud Familiar L Fe, Inc. to hold a 5k run/walk on June 16, 2001 from 7:30 a.m. to 9:30 a.m. Route: Start at S. St. Vra. and Fr. Rahm, Kansas, Ninth, Campbell, Seventh, Park, Sixth, Campbell, Paisano, Delta, Cotton, Fr. Rahm, ending at 700 S. Ochoa. Approximately 250 persons will take part and 100 spectators are anticipated. This request includes permission to use amplification ( 1 portable amplifier). Permit No. 01-069

.....  
\*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Title 15 (Public Services) of the El Paso Municipal Code, by amending Chapter 15.08 (Street rentals), Section 15.08.120 (Special privilege licenses) by establishing requirements and fees for the installation of temporary street displays within portions of public rights-of-way, the penalty being as provided in Section 15.08.120.K of the Code.

.....  
Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to postpone four (4) weeks the Resolution approving Detailed Site Development Plan No. DP-01006, for portions of H.G. FOSTER SURVEY No. 260 and H.G. FOSTER SURVEY No. 261, El Paso, El Paso county, Texas (Stanton Street at Festival Drive, Mesa Hills Drive, Thunderbird Crest Lane), pursuant to Section 20.04.150 of the El Paso Municipal Code. Zone: PMD (Planned Mountain Development); Applicant: Pinnacle Partners, LP / Representative: Conde Inc.: 1790 Lee Trevino, Suite 400, El Paso Texas, 79936

Representative Sumrall abstained from voting. A conflict of interest affidavit was filed with the City Clerk.

Ms. Pat Adaauto, Planning Director, explained and showed slides for Council Members. She gave Council Members a brief history of the case. She stated that the Detailed Site Development Plan is a requiremer of the PMD zoning and this application is to get authorization for development pursuant to requirements in the Ordinance. She pointed out that the Development Coordinating Committee reviewed the Site Plan and unanimously recommended approval, the El Paso Mountain Committee reviewed and approved 5-1 in favor of the Plan at their meeting on April 18, 2001, and the City Plan Commission recommended 8-0 in favor of the Plan at the hearing on April 19, 2001. She stated that she had received more than 25 letters in opposition, many phone calls and visits to the Planning Department.

Representative Cook mentioned that he had received a letter from Mr. Morrison who questioned if the development would be classified as a "dense housing development". He asked Ms. Adaauto if she would consider the development as "dense housing".

Ms. Adaauto stated not at all. She explained that the developer could build as many as 495 units; however, the developer is proposing 33 units.

Glenn Johns, Fire Chief, explained that the project is in the preliminary stages and his department has not seen the Detailed Improvement Plan and he could not comment on the Fire Department's ability to access the area.

Representative Power asked Ms. Adaauto what the overriding concern of the residents in the area was. He added comments regarding "view lots" and property value decrease. He reminded Council Members that the City is trying to add to the tax base not to decrease it.

Ms. Adaauto explained that the concern is the area north of site in regard to the density. She explained that when the residents purchased their homes the residents were advised that their lots were part of the

Franklin Mountain State Park and would never be developed. She stated that neighborhood meetings have been held to try to come up with a compromise between the developer and the residents. She commented on the property values and explained that part of the review of the Site Plan is to ensure compatibility with adjacent neighborhoods and these lots are compatible. She stated that the property in question was never part of the Franklin Mountain State Park but has always been privately owned.

Representative Sumrall explained that she would abstain from voting on this item due to her living in the adjacent neighborhood.

Mr. Glenn Cutter, resident of Coronado Ridge, made comments.

Mr. Fatih Akben, resident of Coronado Ridge, presented Council Members with slides and made comments.

Ms. Adatao explained that the PMD (Planned Mountain Development) Ordinance was not in existence when Sierra Crest ("Crazy Cat") subdivision was developed and as a result of this development the creation of Mountain Zoning and the Mountain Committee was created.

Representative Medina questioned the difference between the Mountain Committee and PMD. He was amazed that Mr. Matt Carroll voted in favor of this Site Development Plan.

Ms. Adatao explained that PMD zoning was placed on land within the City, most of the Franklin Mountain State Park, and was zoned PMD in 1986. The El Paso Mountain Committee reviews all applications for development within the Mountain Zoning. She stated there are nine members of the Mountain Committee and named them for Representative Medina. She stated that Mr. Hamlyn was the Committee Member who voted in opposition of the Site Development Plan.

Representative Sariñana suggested that the neighborhood residents meet with the developer, City staff and others to discuss this further. He recommended postponing the item for several weeks. There was no second.

Ms. Adatao stated that she understood that neighborhood meetings were held.

Representative Cobos asked that City staff provide a horizontal view of the property which would point out the altitude which would affect the mountain.

Mr. Conrad Conde, representing Pinnacle Partners LP, made comments.

.....  
ORDINANCE 14869

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF TRACTS 10-E AND 11-D, SECTION 36, BLOCK 80, TSP 2, TEXAS & PACIFIC RAILROAD CO. SURVEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS (11248 MONTANA AVENUE) FROM R-F (RANCH-FARM) TO C-1 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Pat Adatao, Planning Director, presented slides to Council Members and explained that the request is to permit a commercial retail center on the site. She explained the size of the building, parking spaces and street access. She explained that the case was originally submitted for C-3/commercial; however, at the City Plan Commission hearing the Commission recommended C-1 because C-1 zoning would permit the retail uses which were indicated on the site. She stated that the Development Coordinating Committee and City Plan Commission recommended in favor of the rezoning. She stated that she has received 49 letters



RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01005, FOR ALL OF TRACTS 23, 24, 25, 26, AND 27, O.A . DANIELSON SURVEY NO. 310, EL PASO, EL PASO COUNTY, TEXAS (INTERSECTION OF GEORGE DIETER DRIVE AND GUERNSEY ROAD), PURSUANT TO SECTION 20.04.150 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **RADCO Development Co. Inc.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.04.180 (Zoning) of the El Paso Municipal Code, to permit the construction and development of a single-family residential development; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a single-family residential development on the following described property which is located in an R-3/sp (Residential/special permit) District:

*All of Tracts 23, 24, 25, 26, and 27, O. A. DANIELSON SURVEY No. 310, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A," and municipally referred to as the intersection of George Dieter Drive and Guernsey Road.*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission is attached hereto as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the R-3/sp (Residential/special permit) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the R-3/sp (Residential/special permit) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Escobar, seconded by Representative Medina and unanimously carried to approve the above Resolution.

.....

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to Contract between BARTH FAMILY, LTD., and the CITY OF EL PASO, amending the Contract imposed by Ordinance No. 008361 dated 21 May 1985 to amend Contract Condition No. 2 on all of Lot 1, Block 35, COLONIA VERDE UNIT 6, City of El Paso, El Paso County, State of Texas as further described in Exhibit "A" to said Contract Amendment.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....  
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 1117 N. El Paso Street in El Paso, Texas, which property is more particularly described as follows:

Lots: A portion of Lots 7 through 9, (43.5 feet on street, 76.95 feet and 42.3 feet on S, 4 feet on rear, 117.62 feet on N) Block 7, Sunset Heights Addition, an addition to the City El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 10, Page 47, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation or use; is a hazard to public health, safety, and welfare; and

WHEREAS, Roberto Avina record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on June 12<sup>th</sup>, 2001; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. That the structure can not feasibly be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
  - a. Vacate the premises within 30 days; and
  - b. That the Building be demolished within (30) days; and
  - c. That the premises be cleaned of all weeds, trash and debris within (30) days; and



- d. That a public hearing be scheduled for August 14<sup>th</sup>, 2001 , in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
  - e. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
  - f. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
  - g. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
  4. That said Owner shall become personally liable for all costs incurred by City in connection with demolishing and cleaning the premises of all weeds, trash and debris; and
  5. That the costs incurred by the City in connection with securing, demolishing and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
  6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
    - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
    - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owners lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
    - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
  7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
  8. The Owner any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
  9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and

That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

Mr. Terry Williams, Building Services, explained for the new Council Members the procedure for condemnation hearings.

Mr. Thomas Maguire, Building Services, showed slides, read from a prepared statement and gave the Department's recommendations. He commented on the amount of taxes owed.

Mayor Raymond Caballero asked if there was any action to restore the building. He asked Mr. Maguire if he could provide some kind of context as to the where the buildings are situated.

Mr. Maguire explained that the building is located in an Historic District; however, due to neglect the building has been recommended for demolition. He stated that the Department would accept an engineer's report and recommendation for reconstruction and rehabilitation; however, the owner has not made any contact with the Department nor any attempt to correct any problems. He elaborated on the structural problems of the building. He explained that there is one individual currently occupying the building; however, he would be relocated to another location.

Representative Cobos asked if the owner has expressed any interest to rehabilitate the building.

Mr. Maguire explained that the owner has asked about applying for a Rehabilitation Loan and has also expressed a desire to sell the building.

Representative Sariñana asked if the owner has made any attempt to pay the taxes owed on the property.

Ms. Carmen Perez, attorney with Delgado Acosta Spencer Linebarger Heard & Perez LLP, stated that the account is in suit, along with an additional property, and that the firm will take a judgment on the property if the taxes are not paid. She added that there is currently a lien on the property.

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to accept the Department's recommendations and adopt the above Resolution.

.....  
\*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 1530 Hardaway Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.  
.....

#### RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 7305 Dale Road in El Paso, Texas, which property is more particularly described as follows:

Lot: 20, Block 10, Stiles Gardens, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 3, Page 9, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation or use; is a hazard to public health, safety, and welfare; and

WHEREAS, Remedios and Beatriz Alvarez record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on June 12<sup>th</sup>, 2001; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the accessory structures located on said property are condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. That the structures can not feasibly be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
  - a. That the accessory structures be demolished within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That all junk vehicles be removed within 30 days; and
  - d. That a public hearing be scheduled for August 7<sup>th</sup>, 2001 in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
  - e. That the Owners of said structures are hereby ordered to comply with all requirements of the Resolution; and
  - f. The owners are advised that in order to obtain a certificate of occupancy, the accessory structures and its service systems must be brought into compliance with the current codes.
  - g. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the structures and remove all junk vehicles and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the accessory structures and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with bringing the property into compliance with all codes; and
5. That the costs incurred by the City in connection with the demolition of the accessory structures, and removing the junk vehicles and cleaning the property of all weeds, trash and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
  - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each

- violation or, if the Owners show that the property is the Owners lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
- c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
  7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
  8. The Owners any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
  9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
  10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services, showed slides, read from a prepared statement and gave the Department's recommendation. He mentioned that there are taxes owed on the property.

Motion made by Representative Medina, seconded by Representative Sariñana and unanimously carried to accept the recommendation of the Department and approve the above Resolution.

.....  
Motion made by Representative Sumrall, seconded by Representative Sariñana and carried to deny the appeal of the Development Coordinating Committee denial of SP-01002 requesting to build an overheard walkway across a portion of public drainage right-of-way to provide access between Lots 36 & 37, Block 7, Ridge View Estates, Unit 2. (Padilla Homes)

Representative Cobos voted Nay.

Ms. Pat Adatao, Planning Director, showed slides and explained the background regarding this item for the new Council Members. She explained that the request is to permit a footbridge across a 15 foot wide drainage easement so that a family member would have privacy and security to get to the pool area.

Representative Power asked what the City's liability would be for this type of item. He questioned the amount of water which might flow through the drainage easement.

Mr. Charlie McNabb, City Attorney, explained that the City is not building nor maintaining the bridge; therefore, the City would not have liability.

Ms. Adatao pointed out that if a license is executed on any Special Privilege license, the Code requires that a Certificate of Liability Insurance be filed by the applicant which indemnifies the City from any potential problems or damages which might be created.

Representative Power asked if the public might have access to the footbridge.

Ms. Adatao stated not the way the item is being proposed. She explained that the Development Coordinating Committee has recommended denial of the application. She stated that on May 7th and May

16th the DCC heard the case and both times recommended not granting the Special Privilege. She then explained the reasons why the DCC denied the case and what the intent of a Special Privilege License is.

Representative Sumrall explained that this is a huge covered bridge and she is concerned with the impact to the neighbors. Representative Sariñana made comments.

Mr. Rafael Padilla, owner of Padilla Homes, commented on his request to build the overhead walkway and presented reasons as to why it should be approved.

Representative Cobos commented that he thought it would be an interesting item.

.....  
Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the Conditional "B" building permits for Ridge View Estates Unit 16.

Representative Sumrall asked if the applicant was available for questioning.

Mr. Terry Williams, Deputy Director of Building Services, responded that the applicant's engineer and representative are available for questions. He then explained the item for Council Members.

Mr. Jorge Ascarate, Moreno Cardenas, explained that the request for demand of the lots in this subdivision is higher than the production and asked Council to approve the Conditional "B" building permits so that the development can continue.

Representative Sumrall asked Mr. Ascarate to explained how this would be a hardship if the item was not approved.

Mr. Ascarate explained that the developers have put in additional drainage infrastructure to handle the stormwater runoff. In order to continue the development, the upstream runoff needs to be addressed.

.....  
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to authorize the Director of Purchasing to exercise the City's option to purchase additional quantities at the same unit price, pursuant to the terms and conditions of Contract 2001-095, with Mar-vel Underwater Equipment, Inc. Pennsauken, NJ., for Dive and Rescue Equipment for the Fire Department

OPTION NO.:           ONE  
  
Department:           Fire  
Funds available:       102010-208007  
Funding source:       Capital Acquisition Funds  
Total amount:         \$19,284.00

Representative Medina was not present for the vote.

.....  
**RESOLUTION**

**WHEREAS**, Title 19 (Subdivisions) of the El Paso City Code, permits the dedication of park land in exchange for credits; and,

**WHEREAS**, Title 19 (Subdivisions) also requires a Developer to improve a dedicated parksite to City standards; and,

**WHEREAS**, the City Plan Commission has approved the park land dedication, the credits obtained and the park zone in which those credits will be utilized;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the Agreement between the City of El Paso and EP Northeast Hills I, Ltd. that provides for the following:

1. Dedication of a .7923 acre tract of land within a *portion of Section 23, Block 81, Township 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, City of El Paso, El Paso County, Texas*, to be used for park purposes.
2. A park land credit of .7923 acres for land dedication which may be applied toward any subsequent park land requirement within Park Zones 97 and 125 of the Park Zone Map of the City of El Paso, or as provided in Section 19.12.085 of the City of El Paso's Subdivision Ordinance.

Mr. Charles Nutter, Director of Parks & Recreation, explained the location of the park and added that the park would be also receiving landscaping and a parking lot.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Medina was not present for the vote.

.....  
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Chapter 9.50 (Smoking in Public Places), by adopting a comprehensive revision of Chapter 9.50 (Public and Workplace Smoking Restrictions).
- B. An Ordinance designating Reinvestment Zone "OO" within the City of El Paso as authorized by the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended; describing the boundaries of said Reinvestment Zone "OO"; describing the eligibility of said Reinvestment Zone "OO" for commercial-industrial tax abatement of real and personal property located therein; and providing for a savings clause.
- C. An Ordinance permitting Fernando Elguea to use a portion of Dick Shinaut Park from 4:00 PM until 9:00 PM on July 4, 2001 for a wedding. Fee: \$70.00
- D. An Ordinance repealing Ordinance Numbers 6163, 9980, 11533, and 11903, which created and amended the Arts Resources Department and Arts Resources Board, and reestablishing such Arts Resources Department and Arts Resources Board.

**PUBLIC HEARING WILL BE HELD ON JUNE 26, 2001 FOR ITEMS A - D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That values have been set in accordance with the law for the following property, which is proposed to be acquired for the Borderland Area Street and Drainage Improvements under the Twenty-sixth Year (2000-2001) Community Development Program, and that, having considered relevant facts pursuant to the applicable law, the Council hereby establishes Just Compensation and approves an offer of Just Compensation as follows, and that the Mayor be authorized to sign a Contract of Sale with the property owner of the above parcel in the amount of the established Just Compensation:

Parcel 1: Portion of Tract 7-B-1, El Canutillo Survey No. 173, consisting of 206,491 square feet more or less. Value: \$206,491.00

Funding is available under index code 150069 716CD 0007.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor & Council authorize the submission of Parks & Recreation UPARR (Urban Parks and Recreation Recovery). The grant proposal is to rehabilitate Blackie Chesser Park. Grant Proposal is in the amount of five hundred thousand dollars (\$500,000.00). Matching funds required from the City of El Paso will be in the amount of sixty-two thousand five hundred dollars (\$62,500) to include matching funds from Texas Parks & Wildlife in the amount of sixty-two thousand five hundred dollars (\$62,500).

NOTE: Resolution was revised to read "Matching funds required from the City of El Paso will be in the amount of sixty-two thousand five hundred dollars (\$62,500) to include matching funds from Texas Parks & Wildlife in the amount of sixty-two thousand five hundred dollars (\$62,000.00).

Representative Escobar explained that this is a Federal grant and that the State and the City would be adding the matching funds. He clarified that instead of the City putting in \$208,000.00, the matching funds have been reduced to \$62,500.00 and the State's matching funds have risen to \$62,500.00.

Mr. Charles Nutter, Director of Parks & Recreation, agreed with Representative Escobar's explanation. Representative Escobar asked how the money would be utilized. Mr. Nutter explained that the money would be lumped into the Bond monies and that the Department has focused on rehabilitating and renovating existing facilities which have surpassed their useful life.

Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to approve the above Resolution as revised.

Representative Sumrall was not present for the vote.

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-589 AIRPORT

Transfer of funds to cover addition of two new shuttle buses needed to replace current buses which are beyond repair, have outlived their useful lives and cannot provide reliable service.

Increase	\$130,000	to	620020/500004/208006	Vehicles
Increase	\$130,000	to	620020/500004/107001	Intrafund Transfer In
Increase	\$130,000	to	620018/500002/107002	Estimated Revenue
Increase	\$130,000	to	620018/500002/207001	Intrafund Trsfer Out

.....  
 Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Employee Pension Contributions, 00-C-305 (551.071)
- B. Michael Draper vs. City of El Paso, et. al., Cause No. 97-4063 (551.071)
- C. Jose Ledee v. Civil Service Commission of the City of El Paso, Cause No. 98-3097 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....  
 Motion made by Representative Medina, seconded by Representative Sariñana and unanimously carried to postpone two weeks Employee Pension Contributions, 00-C-305

Representatives Sumrall, Power and Cobos were not present for the vote.

.....  
 Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to postpone two weeks Michael Draper vs. City of El Paso, et. al., Cause No. 97-4063

Representatives Sumrall, Power and Cobos were not present for the vote.

.....  
 Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO REJECT SETTLEMENT OFFER** in the lawsuit entitled **JOSE LEDEE V. CIVIL SERVICE COMMISSION OF THE CITY OF EL PASO, No. 08-00-00201-CV, Cause No. 98-3097;** as recommended by the City Attorney.

Representatives Sumrall and Power were not present for the vote.

.....  
 Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to adjourn this meeting at 12:03 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter  
 Carole Hunter, City Clerk

  
 Rita Rodriguez, First Assistant City Attorney

772